

# EXHIBIT 7

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(Greenbelt Division)

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COLUMBIA GAS TRANSMISSION, LLC,

Plaintiff,

v.

JANET MALIN HAAS, et al.

Defendants.

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Civil Action No.: 8:17-cv-01147-TDC

**DECLARATION OF ANTONIO C. REDD**

I, Antonio C. Redd, hereby declare under penalty of perjury the following:

1. I am over the age of eighteen and I have personal knowledge of the information set forth below. If called upon to do so, I could testify competently to these matters.

2. I earned my bachelor's degree in industrial engineering from Virginia State University in 1989.

3. I am currently employed by TransCanada as a Senior Land Agent and provide support for Columbia Pipeline Group, LLC ("Columbia"). In this capacity, I am responsible for protecting the property, right of ways and facilities of Columbia including enforcement of Columbia's Minimum Guidelines, a copy of which is attached hereto as Exhibit 1.

4. I have been employed by Columbia for twenty-five years. Throughout my twenty-five years at Columbia, I have been involved in the protection of Columbia's property, right of ways and facilities and the enforcement of Columbia's Minimum Guidelines.

5. During my twenty-five years with Columbia I have been involved in hundreds of clearing operations involving the removal of trees and shrubs from Columbia right-of-ways.

6. During my twenty-five years at Columbia, the policies of Columbia have always prohibited the planting of trees in Columbia Right-of-Ways and the planting of shrubs within five feet of a pipeline or shrubs taller than five feet. During my twenty-five years with Columbia, Columbia has always and consistently enforced its policies prohibiting trees and shrubs in Columbia's Right-of-Ways.

7. Columbia's Minimum Guidelines have always prohibited the planting of trees in Columbia's Right-of Ways and have always prohibited the planting of shrubs within five feet of a pipeline or taller than five feet.

8. One of the reasons Columbia prohibits trees or shrubs within five feet of a pipeline is to provide a clear line of sight for Columbia's pipeline markers so that the public is aware of the presence of a high-pressure natural gas transmission pipeline. Additionally, having trees and shrubs within five feet of a pipeline interferes with the inspections of the pipeline.

9. Columbia prohibits trees in its Right-of Ways because they impede access to the pipeline, the roots are a known source of damage to pipelines, especially to the coating on a pipeline, and interfere with inspections of a pipeline.

10. Columbia regularly mails fliers to property owners who own property on which a Columbia pipeline is located that include the Minimum Guidelines to remind property owners of the presence of the pipeline and the restrictions as to the easement.

11. I was responsible for a clearing operation that encompassed a large section of Montgomery County, Maryland, including the property owned by the defendants, Janet Malin Haas and Melvin Leroy Haas (the "Defendants") located at 421 Brighton Knolls Drive,

Brinklow, Maryland 20862 (the "Property"). As part of this clearing operation, Columbia removed hundreds of trees and shrubs from hundreds of properties, including many properties in the Brighton Knolls subdivision where the Property is located.

12. I have been to the Property on many occasions and have personal knowledge of the encroachments in Columbia's easement on the Property.

13. There is a large red maple tree located on the Property (the "Tree") that is in Columbia's easement on the Property and that sits partially on top of Line MB26 – Columbia's 26 inch high-pressure natural gas transmission pipeline installed on the Property in 1955 (the "Pipeline"). Attached as Exhibit 2 is a photograph of the Tree which has two yellow flags depicting the location of the Pipeline.

14. Attached as Exhibit 3 is another photograph of the Tree that shows how much of the easement is covered by the Tree.

15. There is also another, smaller tree that sits on top of the Pipeline which is depicted in the photograph attached as Exhibit 4. Also depicted in this photograph is a line marker for the Pipeline. The line markers are centered on the Pipeline. Defendants had agreed to the removal of this tree, but I now understand that they have changed their position.

16. There are also shrubs in Columbia's easement that are on top of the Pipeline and that are more than five feet tall.

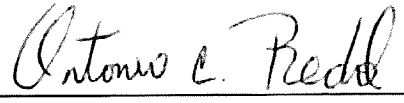
17. The trees and shrubs on the Property interfere with the line of sight required for the public to be able to see the pipeline markers.

18. The gas running through the Pipeline at the Property is not odorized.

19. There is a Tap – a device attached to the Pipeline to potentially provide natural gas to the Property – that is not in use and that is located under the Tree and 27 inches below ground.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and information.

Date: 01-05-18

  
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Antonio C. Redd

# EXHIBIT 1

(DECLARATION OF ANTONIO C. REDD)



### Excavation Near Pipelines/Buried Facilities

No excavation, including hand digging, is permitted on CPG pipeline rights-of-way without prior approval from CPG. CPG personnel must be present during any construction or excavation activities on or around its facilities or rights-of-way unless otherwise permitted by CPG. Excavation on CPG's right-of-way is strictly forbidden without a CPG representative on site. Within 24 inches of the outer edge of the pipe (on all sides), only hand excavation, air cutting, vacuum excavation, or potholing techniques are permitted.

### Crossing Pipelines With Heavy Equipment

CPG may require heavy equipment operators to install mats, steel plates, dirt pads or other approved protective materials to adequately protect CPG pipelines from potential damage by heavy equipment crossing the right-of-way before crossing can begin or during the course of such crossing activity. All proposed road crossings of buried facilities must be evaluated by CPG. Any overburden or materials installed for crossing the pipeline must be removed after construction, unless otherwise directed by CPG.

### Blasting Plans Must Be Approved

Any blasting proposed within 300 feet of CPG's facilities must be submitted to CPG in advance, along with a blasting plan outlining such proposed activity. No blasting may begin unless and until CPG provides prior written confirmation that it does not object to such blasting. Any modifications to the blasting plan must also be submitted to CPG for prior review approval and should not be implemented unless and until CPG provides prior written confirmation that it does not object to such modifications. The blasting contractor may be required to monitor and record seismic shock at the facilities. Pipeline facilities must be protected from excessive ground vibrations.

### Allow Adequate Clearance for Directional Drilling

Any directional drilling or boring proposed under CPG's buried facilities must be submitted to CPG for review and approval. A minimum of 24 inches of vertical clearance must be maintained from CPG's facilities, and additional excavations may be required to ensure adequate clearance. As-built plans for construction are required for all borings.

### Maintain Up to 300-foot Clear Area Around Storage Wellheads

Property owners or developers must notify CPG of any proposed construction or excavation within 300 feet in any direction of a natural gas storage well. For safety, CPG reserves the right to object to any such proposed activities or placement of objects closer than 300 feet to a storage wellhead.

For more information contact CPG at:  
1-866-701-9582 or email at  
pipelineandowners@cpg.com,  
or visit us at [www.cpg.com](http://www.cpg.com)

If you expose, hit, or touch a pipeline while digging, no matter how insignificant it may appear, please contact our emergency monitoring center immediately by calling:

- Columbia Gas Transmission, Crossroads Pipeline, Millennium Pipeline Company, Hardy Storage Company at 1-800-835-7191
- Columbia Gulf Transmission at 1-866-485-3427
- Columbia Midstream Group at 1-855-511-4942

If you discover gas leaking, you are required by federal law to contact 911, your local fire department or Public Safety Answering Point (PSAP).



*Note: "Minimum Guidelines for construction near pipeline facilities" addresses the most common issues concerning land use on/near CPG rights-of-way. "Right-of-Way Use" procedures provides additional technical information, as well as guidance on various areas not covered here, and should be consulted as needed. In rare cases, CPG may determine that adherence to a specific provision of the Minimum Guidelines/Right-of-Way Use procedure is not feasible for a particular project. In such instances, CPG may, at its sole discretion, elect to modify specific requirements for that project. Said modifications shall be made by appropriate CPG personnel and shall be properly documented.*

*These guidelines supersede any and all prior guidelines pertaining to activities and placements on or near gas transmission facilities owned by a CPG company. Existence of, or the ramifications from, the implementation of prior guidelines will not dictate, direct, or provide for exemption of any of the above guidelines.*

*In the event that the provisions of an applicable land rights document conflicts with the requirements set forth herein, the land rights document shall supersede these requirements.*

July 2015

# MINIMUM GUIDELINES

for construction near  
pipeline facilities



**Know what's below.  
Call before you dig.**

National Call Before You Dig Number: 811



**MEMBER COMPANIES**  
Columbia Gas Transmission  
Columbia Gulf Transmission  
Crossroads Pipeline  
Millennium Pipeline Company  
Hardy Storage Company  
Columbia Midstream Group



## Columbia Pipeline Group

This document provides for the design and construction of facilities on rights-of-way owned and/or operated by Columbia Pipeline Group (CPG) companies, including Columbia Gas Transmission, Columbia Gulf Transmission, Crossroads Pipeline, Millennium Pipeline Company, Hardy Storage Company, and Columbia Midstream Group, collectively referred to herein as "CPG".

These guidelines are intended for individuals whose proposed construction activities will impact CPG's rights-of-way. CPG's primary concern is for public safety and to help ensure the continuous safe flow of the nation's energy supplies. For complete details and requirements for the design and construction of facilities on CPG's rights-of-way please make a request by calling 1-866-701-9582.

### Consult CPG Early in Your Planning

CPG must review and approve all plans for proposed construction impacting a CPG right-of-way. To expedite construction or excavation, submit your plans to CPG for review in the design phase of the project before applying for permits or committing to construction. CPG requires a minimum of 60 days to review design plans.



### Notify CPG Before Construction Begins

No construction or excavation activities of any kind shall be performed on or near CPG's rights-of-way, including crossing with heavy equipment, or blasting on or near the right-of-way before CPG personnel have established the exact location and elevation of all affected facilities and the limits of the right-of-way. Start your project by calling 811 "Before You Dig" or your state's One Call notification service. Request that both the location and approximate depth of the pipeline be determined.

### Construction Requirements Within a CPG Right-of-Way

CPG rights-of-way generally extend 25 to 50 feet on each side of the center line of the pipeline and include all areas between multiple pipelines, unless otherwise defined in the applicable land rights document.

CPG may allow certain property improvements within its rights-of-way. However, CPG will not assume responsibility, financial or otherwise, for any such improvements directly or indirectly damaged as a result of its operation and maintenance of its facilities. Upon review of individual plans and property rights, CPG may identify additional restrictions or requirements to the items listed:



1. The existing cover over pipelines and rights-of-way shall not be modified without CPG's written permission. The minimum earth cover over pipelines shall be 36 inches and no greater than 5 feet. Variance of the existing depth of cover is not permitted without CPG's written permission. CPG will perform external load evaluations as necessary. Protective measures may be required before construction activity can begin or during the course of such construction activity.
  2. Above-ground or below-ground structures or obstructions of any type shall not be placed within the easement area of any pipeline.
  3. Pipeline easements shall not be shared longitudinally with other pipelines or utilities. All water valves, curb boxes, manholes, etc. must be outside the easement. All utility crossings must be approved by CPG before installation begins and must meet the following criteria:
    - Cross as near to 90 degrees as possible, but in no case less than a 45 degree angle.
    - Minimum of 24 inches vertical clearance.
    - Must cross below CPG's pipeline, unless prior written consent is granted by CPG.
  - (Note: protective measures required for crossing over a CPG pipeline may differ from those described below and will be listed in the permission document.)
  - Except for trenchless excavation, warning tape in accordance with APWA Uniform Color Code shall be placed above the utility, 12 inches below ground, across the entire CPG right-of-way.
  - Cable/wire crossings (excluding single telephone/television drops) must be encased with a minimum of 2-inch Schedule 40 PVC pipe or equivalent across the entire width of the right-of-way. Electric and fiber optic lines shall also be surrounded with a minimum of 6 inches of colored 2,000 psi concrete (red for electric, orange for fiber) or 4-inch minimum diameter, standard wall thickness, coated steel pipe across the entire right-of-way (except for trenchless excavations).
  - Metallic utilities shall be coated with a non-conductive coating for the entire width of the CPG right-of-way. Corrosion protection (CP) materials shall be installed at the expense of the Permittee where necessary, at CPG's sole determination.
  - Non-metallic utilities shall be installed with tracer wire for the full width of the CPG right-of-way, unless otherwise permitted by CPG. Tracer wire shall be raised to the ground surface and connected to a test station for monitoring.
  - Natural gas, petroleum, or other industrial gas pipelines crossing under CPG pipelines must be encased in a 6-inch envelope of yellow 2,000 psi concrete or a 4-inch minimum diameter, standard wall thickness, coated steel pipe across the full width of the CPG right-of-way.
  - All crossings shall be marked with above-ground markers installed on either side of CPG's right-of-way boundaries.
  4. A "Field Title Agreement" is required prior to any field title installations that occur from the edge of CPG right-of-way to the edge of CPG right-of-way. Permitted field tile or drainage pipe shall cross the pipeline right-of-way at or as near to 90 degrees as possible with a minimum clearance of 12 inches above or below the pipeline. Crossings less than 45 degrees are not permitted. Field tile shall not drain onto a CPG right-of-way. Longitudinal runs of field tile shall not be closer than 15 feet from CPG pipeline.
5. Roads shall cross pipelines at or as near to 90 degrees as practical, but at angles not less than 45 degrees. The entity constructing the road must pay for any measures required by CPG to inspect and protect its pipeline(s). Such protective measures shall be designed and/or approved by CPG personnel.
  6. Walking/bicycling paths require CPG's written permission prior to construction. Paths must be constructed at the outside edge of CPG's right-of-way and may extend no more than 6 feet into the right-of-way. Paths shall cross CPG's pipeline as close to 90 degrees as possible, but in no case less than 45 degrees. CPG shall have sole determination of number of path crossings to be permitted. No motorized vehicles of any type, other than power-driven wheelchairs, are permitted to utilize paths that run longitudinally inside the right-of-way. Landowner shall be responsible for maintaining the path to prevent right-of-way damage, including erosion, illegal dumping, etc.
  7. Parking areas require written permission from CPG. Parking shall not be allowed over the easement unless designed/altered so as not to impact the safe and reliable operation and maintenance of CPG's pipeline. In no case shall parking lots be designed such that vehicles are allowed to park directly over or within 5 feet of a pipeline. Paving for parking lots shall be limited to asphalt or gravel and must meet all requirements set forth by CPG.
  8. Paving within a CPG right-of-way must be submitted and approved by CPG before paving can begin. Concrete or paving is permitted for sidewalks, curbs and residential driveways. Continuously poured, steel reinforced concrete is prohibited within CPG's right-of-way. Residential or commercial driveways may be permitted provided that the design and installation meets CPG requirements.
  9. Detention ponds, lakes or any type of water impoundment is prohibited within the right-of-way. Septic tanks and leach fields should be placed so they drain away from the pipeline where practical. In no case shall they be placed in the easement area.
  10. The right-of-way may be planted in lawn, flowerbeds or vegetable gardens, or used for normal agricultural purposes. Shrubs maturing at less than 5 feet tall are permitted on the right-of-way. However, they must be planted such that the branches at maturity are a minimum of 5 feet away from the pipeline. Shrubs greater than 5 feet tall and trees, including fruit or nut bearing trees of any kind, and "Christmas tree farms" are prohibited within the right-of-way. CPG shall not be responsible for replacement of or reimbursement for any plantings within the right-of-way, unless otherwise stated in applicable land rights document.
  11. Fences or continuous hedges that block visual inspection, interfere with access to CPG facilities, or are installed longitudinally to the pipeline shall not be permitted within the right-of-way. Fence or hedge height may not exceed 5 feet. Commercial or residential chain link fence installations are permitted. Fence posts shall not be placed within 3 feet of the outermost edge of the pipeline. Fences permitted to cross a CPG pipeline right-of-way must be designed and installed to allow at least a 16 foot gate or opening centered on the pipeline and must cross at or near to 90 degrees as possible, or as permitted by CPG. If gates are to be locked, CPG must be allowed to install its own locks on the gates. Locks will be installed in such a manner as to allow both the landowner and CPG unimpeded access to the property.



# EXHIBIT 2

(DECLARATION OF ANTONIO C. REDD)



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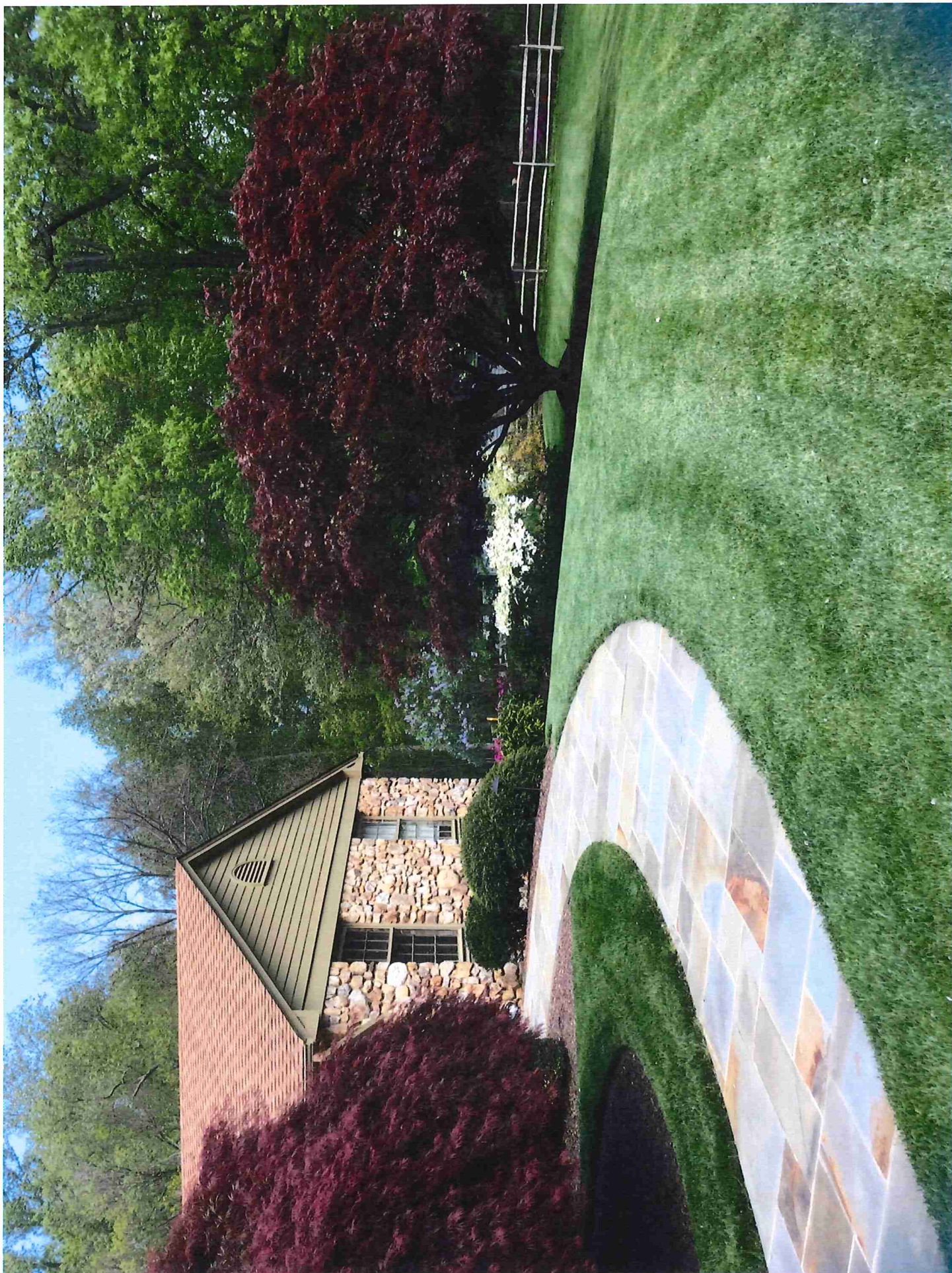




# EXHIBIT 3

(DECLARATION OF ANTONIO C. REDD)





# EXHIBIT 4

(DECLARATION OF ANTONIO C. REDD)



